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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

JORGENSEN, LELAND R

ART UNIT	PAPER NUMBER
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2675

13

DATE MAILED: 03/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/823,587

Applicant(s)

SHAH, SACHIN V.

Examiner

Leland R. Jorgensen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 2 – 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Chang, USPN 6,409,242 B1.

Claim 2

Chang teaches a console lid mounted screen comprising a console lid [video display 22] positioned over a console [housing 24] for pivotal movement relative thereto. Chang, col. 3, lines 3 – 22, 47 – 53; and figure 2. The console lid has an interior compartment and a bottom side. See Chang, figures 2 and 5. The console has a storage bin [recess 46] . Chang, col. 3, lines 47 – 53; and figure 2.

A display screen 50 is mounted in a movable frame pivotally positioned within the interior compartment of the lid, wherein the movable frame can pivot between at least an open position and a closed position relative to the lid, wherein when the movable frame is in the closed position, the screen is inaccessible. Chang, col. 3, lines 54 – 64; and figures 2, 5, and 9.

Claim 3

Chang teaches that the lid can pivot between an open position and a closed position, wherein when the lid is in the open position, the storage bin of the console is accessible. Chang, col. 3, lines 54 – 64; and figures 2, 5, and 9.

Claim 4

Chang shows the bottom side of the interior compartment is comprised of a substantially rigid material. Chang, figures 2 and 5.

Claim 5

Chang teaches that when the frame is in the closed position, the screen is hidden from view and the lid has a substantially flat profile. Chang, col. 3, line 54 – col. 3, line 12; and figures 2 and 5.

Claim Rejections - 35 USC § 103

3. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chang in view of Zaidan, USPN 5,494,447.

Claim 6

Chang teaches self-tensioning hinges but does not describe such hinges as pinions.

Zaidan teaches the use of a pinion to help a display part 12 to remain stationary at any angle relative to a base part 14. Zaidan, col. 5, lines 23 – 27; col. 12, lines 4 – 8; and figure 1.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the pinion as taught by Zaidan with the console lid mounted screen as taught by Chang. Zaidan invites such combination by teaching,

This invention relates to hinges for electronic devices, particularly hinge assemblies for electronic devices having two or more device parts that interconnect and stably support the device parts while providing enhanced adjustability in the three-dimensional positioning of each device part relative to the other device parts, so as to enhance comfort, efficiency and effectiveness in using the electronic device.

Two-part electronic devices are common. They include personal computers of various categories such as desk-top, laptop, notebook, and palm-top computers, as well as pen-based tablet computers. Two-part electronic devices also include personal organizers and other electronic devices.

For two-part electronic devices, one device part typically is a video display. For example, portable computers typically have a flat panel display screen (the "display part"), e.g., an LCD or gas plasma display. The second device part typically is a base that holds, among other things, the bulk of the device's electronic hardware, such as disk drives (the "base part"). In portable computers, the base part also commonly holds a keyboard that may or may not be detachable from the base part. Broadly, the display and base parts can be described as typically being, in shape, rectangular prisms, having outside and inside surfaces and right, left, front and back sides.

In using two-part electronic devices, it is generally desirable to be able to adjust the relative positions of the two device parts through three dimensions substantially without restriction, while stably supporting both parts. For example, in portable computers the user may desire to adjust the vertical viewing angle of the display by rotating the display part horizontally relative to the base part. The user may desire to swivel the display part relative to the base part in order to allow a second person to view the display while not encumbering the user's access to the keyboard. The user may desire to position the display a shorter or longer distance from the user's eyes, with or without adjusting the viewing angle or the position of the keyboard. The user may desire to place the display part flat against the base part with the display exposed and the keyboard either (i) covered by the display part, for example, when input is to be pen-based, or (ii) uncovered by the display part, for example, when using the device's keyboard in conjunction with an external monitor rather than the integral display. Moreover, the user may desire to adjust the relative positions of the two device parts in these and other ways in sequence or in combination, depending on the type of electronic device and the nature of its use.

Zaidan, col. 1, lines 9 – 57. Zaidan adds,

The present invention fulfills the need for an improved hinge mechanism for electronic devices, overcomes the shortcomings of prior art hinge mechanisms and provides certain advantages not heretofore available in such mechanisms, by providing a hinge assembly that interconnects and stably supports one device part relative to another while enhancing the three-dimensional adjustability of the position of each device part relative to one or more other device parts.

Zaidan, col. 2, lines 55 – 62.

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4. Claims 7 - 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bartlett et al., USPN 5,276,589, in view of Zaidan.

Claim 7

Barlett teaches a frame [vertical sides 38 and horizontal sides 42 and 44] pivotally attached to a console lid [screen portion 14], a display screen defined within the frame, and the console lid having a compartment defined therein to receive the frame. Bartlett col. 2, lines 30 – 64; and figures 1 – 3. Barlett shows the bottom horizontal portion 24 of the frame member 18 as being substantially rigid. Barlett teaches a hinge 46 extending from the frame with the hinge allowing the frame to be rotated around a single axis. Barlett, col. 2, lines 37 – 39; and figures 1 – 3.

Barlett does not teach that the hinge is a friction pinion.

Zaidan teaches the use of a pinion to help a display part 12 to remain stationary at any angle relative to a base part 14. Zaidan, col. 5, lines 23 – 27; col. 12, lines 4 – 8; and figure 1.

For the reasons stated above in the discussion about claim 6, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the pinion as taught by Zaidan with the console lid mounted screen as taught by Bartlett.

Claim 8

Zaidan teaches the use of a pinion to help a display part 12 to remain stationary at any angle relative to a base part 14. Zaidan, col. 5, lines 23 – 27; col. 12, lines 4 – 8; and figure 1.

Claim 9

It is inherent to Bartlett that with the lid closed and the screen with the back 86 out, that when the frame is in the closed position, the screen is hidden from view and the lid has a substantially flat profile. Bartlett, col. 3, lines 9 – 10, 32 - 38; and figures 4 and 9.

Claim 10

Bartlett teaches that the console lid [screen portion 14] has a hinge 15 providing a pivotable connection to a console [base portion 12]. Bartlett, col. 2, lines 30 – 34; and figure 1.

Claim 11

Barlett teaches that the lid [screen portion 14] can pivot between an open position [figure 3] and a closed position [figure 4]. Barlett, col. 2, lines 57 – 64.

Claim 12

Barlett teaches two hinges 28 defined on opposite sides of the frame. Barlett, figure 1.

Response to Arguments

5. Applicant's arguments filed 22 January 2004 have been fully considered but they are not persuasive..

As to claims 1 – 6, applicant argues that Chang does not teach that the display screen is mounted in a movable frame pivotally positioned within the interior compartment of the lid, wherein the movable frame can pivot between at least an open position and a closed position relative to the lid and does not teach the storage bin. Such differences are shown in comparing Chang, figure 2, to figures 1 – 6 of the specification.

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During examination, the claims must be interpreted as broadly as their terms reasonably allow. This means that the words of the claim must be given their plain meaning unless applicant has provided a clear definition in the specification. The words in a claim are generally not limited in their meaning by what is shown or disclosed in the specification. It is only when the specification provides definitions for terms appearing in the claims that the specification can be used in interpreting claim language. MPEP 2111.01.

As broadly interpreted, the claims as drafted appear to include the invention taught by Chang. For example, the term storage bin would include the recess 46 as taught by Chang although such recess would be to store the display screen.

As to the pinion described in claims 6 – 12, the specification provides almost no description of the pinion device and there is no basis to assume that the pinion in applicant's specification and claim is different from the pinion in the Zaidan. In fact, it also appears that the pinion is the same as the hinge taught in Bartlett or Chang.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kevin Jost, "Buick's Personal Vehicle Assistance Concept", Automotive Engineering International, vol. 108, n. 9, p. 34 (September 2000), teaches that "A 7-in color display flips up from the 500 x 200 mm (20 x 8 in) console and not only shows movies or games, but also provides storage space for headphones, game cartridges, and DVDs."

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leland Jorgensen whose telephone number is 703-305-2650. The examiner can normally be reached on Monday through Friday, 7:00 a.m. through 3:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven J. Saras can be reached on 703-305-9720.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231


or faxed to:

(703) 872-9306

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office, telephone number (703) 306-0377.

lrj



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